

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q65155

Cedric BAUDOUIN, et al.

Appln. No.: 09/902,752

Group Art Unit: 2665

Confirmation No.: 9598

Examiner: Thien D. Tran

Filed: July 12, 2001

For: DEVICE FOR MANAGING RESOURCES FOR A SATELLITE  
TELECOMMUNICATION SYSTEM

**REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.111**

**MAIL STOP AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office action dated September 20, 2005, please consider the following remarks.

**REMARKS**

Claims 1-3 are all the claims pending in the application. Applicants acknowledge with appreciation the indication of patentable subject matter recited in claim 2, but respectfully request reconsideration and allowance of all claims.

The distinguishing points argued in the response of July 5 were that Prieto processes request messages relating to uplink bandwidth and the requests each relate to a single connection, and this differs from the present invention where the requests are for downlink bandwidth and relate to all connections from a single station that share a common downlink.

The examiner has responded to this argument at page 4 of the Office action, pointing out that the MAC controller of Prieto monitors the congestion and bandwidth estimation so that it

can assign available bandwidth for the downlinks. The examiner further notes that each downlink can have multiple users, and directs applicants' attention to lines 60-67 of column 2 and lines 35-40 of column 3.

Lines 60-67 of column 2 refer to sharing a transmission resource. At lines 51-58 of column 1, the patentees specifically define a transmission resource as "a series of channel slots available for transmitting data on a transmission uplink path at a certain bandwidth."

The discussion at column 3 of Prieto explains that the onboard media access controller decides whether or not to grant the uplink requests by taking into account a variety of factors, with one factor being the amount of data already recently sent by this user and another factor being the congestion state of the destination downlink port. Lines 38-40 describe the use of a bandwidth estimator to determine the available bandwidth capacity for each downlink.

It is clear that the media access controller is aware of downlink bandwidth issues. But claim 1 of the present application is not so broadly directed to simply taking into account downlink bandwidth issues. Claim 1 specifically recites that each request received by the congestion controller subsystem from a user expresses the bit rate necessary for a group of connections supported by that user which share the same satellite downlink. This is not the case in Prieto where each request is simply for uplink bandwidth. It may well be that the media access controller is privy to information from which it could of its own accord (and with the help of hindsight after reviewing the present application) formulate a request of the type recited in claim 1 here, but that does not result in anticipation of claim 1.

Claim 1 further describes the congestion controller subsystem as determining a bit rate authorized for a group of connections. Prieto allocates uplink time slots. It may well take into

account downlink congestion in making its decisions, but this does not constitute determining a collective downlink bit rate for a group of uplink connections from a single user.

Claim 1 ends by reciting a subsystem of the uplink demand assignment device which allocates uplink resources at each user station as a function of a collective downlink bit rate authorized by the congestion controller. This is simply not the case in Prieto.

Prieto clearly lacks several features recited in claim 1. The examiner has relied on a perceived general similarity as support for detailed recitations which are in fact not met. Accordingly, there is no anticipation of any claim, and allowance of all claims is requested.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

A two month extension of time is requested, and the required fee is being separately authorized through the Electronic Filing System (EFS). The USPTO is authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: February 17, 2006

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